

Remarks

Claim 7 has been amended. Claims 1-39 are pending in the application.

A. Claim objections

Claim 7 was objected to for containing a typographical error. This claim has been amended to recite that it is dependent upon claim 1. Accordingly, the objection is believed to be overcome.

B. §103 Rejections based on Laskowski and Carnes, Jr. et al.

In the Office Action dated September 27, 2004, claims 1-4, 6-9, 13-15, 18 and 21-39 were rejected under 35 U.S.C. 103(a) as being unpatentable over Laskowski (U.S. Patent No. 5,923,413) in view of Carnes, Jr. et al. (3,976,198). These rejections are respectfully traversed.

With respect to claim 1, the Office Action asserted that Laskowski discloses all features of claim 1 except that “Laskowski does not explicitly disclose presence of more than one document as the reason to be unfit to use.” Carnes is then cited as teaching using transmitted light to detect the presence of more than one document.

First, it is pointed out that Laskowski does in fact address the detection of double bills. See *e.g.*, col. 2, ll. 12-14; col. 4, ll. 49-55; col. 10, l. 31; and col. 16, l. 13 – col. 17, l. 7. Accordingly, the proposed motivation to combine Laskowski and Carnes (Office Action, p.4, last paragraph) is absent as the system of Laskowski already provides for doubles detection.

Second, it is respectfully submitted that despite the assertions to the contrary, Laskowski fails to teach or suggest at least:

a processor adapted to ...

(3) calculate a reflectance ratio between the reflected light value of the test document and the master reflected light value, ...

- (6) adjust the master transmitted light value based on the reflectance ratio,
- (7) compare the adjusted master transmitted light value to the transmitted light value for the test document, and
- (8) generate a doubles signal if the comparison of the adjusted master transmitted light value with the transmitted light value for the test document indicates that more than one document is present.

As Carnes also fails to teach or suggest these features, it is submitted that a *prima facie* case of obviousness has not been established.

For example, the Office Action states Laskowski discloses “a doubles detection system for detecting doubled documents” comprising, inter alia, a processor adapted to “(3) calculate a reflectance ratio between the reflected light value of the test document and the master reflected light value.” In support thereof, the Office Action cites Figure 4; Column 7, Lines 51-67, Column 8, Lines 1-42; Figure 13; Column 18, Lines 66-67, Column 19, Lines 1-32 of Laskowski. However, none of these teach or suggest calculating a reflectance ratio between the reflected light value of the test document and the master reflected light value. Figure 4 relates to the correlation of a set of sensed data values with previously stored value sets (col. 5, ll. 7-11) presumably using the formula shown in Figure 5. Likewise, nothing at column 7, line 51 – column 8, line 42 teaches or suggests calculating the recited ratio. The same is true for Figure 13 and column 18, line 66 – column 19, line 42.

Accordingly, it is respectfully requested that the rejections of these claims be withdrawn.

All of the rejected claims are allowable at least for the above reasons; and therefore, they will not be discussed in detail individually at this time. Suffice it to say that Applicants do not agree with the proposed grounds of obviousness recited in the Office Action nor do they agree with or accept the purported official notice recited on page 6. To the extent these rejections are

not withdrawn, it is respectfully requested that prior art be cited in lieu of any official notice so that Applicants may be able to properly respond to the reference.

C. §103 Rejections based on Laskowski, Carnes, Jr. et al., and Cargill et al.

In the Office Action, paragraph 4, claim 5 is rejected under 35 U.S.C. §103(a) as being unpatentable over Laskowski further in view of Carnes, Jr. et al. and Cargill et al., (U.S. Patent No. 5,430,664).

This rejection is respectfully traversed. There is no teaching or suggestion in Laskowski, Carnes, or Cargill for the proposed combination of these three references let alone for a combination of these references in such a way so as to arrive at the claimed invention. Likewise, claim 5 is allowable for the same reasons discussed above with respect to claim 1. Accordingly, claim 5 is allowable and it is respectfully requested that this rejection be withdrawn.

D. Objected to Claims

In the Office Action, claim 10-12, 16, 17, 19 and 20 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

These claims are believed to be allowable given that the independent claims on which the depend are believed to be allowable for the reasons discussed above. Accordingly, it is respectfully requested that these objections be withdrawn.

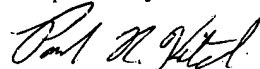
Conclusion

It is the Applicants' belief that all of the claims are now in condition for allowance, and action towards that effect is respectfully requested. It is believed that no fee is presently due; however, should any additional fees be required (except for payment of the issue fee), the Assistant Commissioner is authorized to deduct the fees from Jenkins & Gilchrist, P.C. Deposit Account No. 10-0447, Order No. 47171-00265USPT.

If there are any matters which may be resolved or clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney at the number indicated.

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Respectfully submitted,



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